

August 28, 2003
Case No.: PHCH 00002 (7790/132)
Serial No.: 09/761,253
Filed: January 16, 2001
Page 10 of 13

REMARKS

In the First Non-Final Office Action, Examiner Tran rejected pending claims 1, 3-5, 18 and 21 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,319,265 to *Lim*. The Applicant responds to this anticipation rejection as subsequently recited herein, and respectfully requests reconsideration and further examination of the present application under 37 CFR § 1.112.

The Applicant has thoroughly considered Examiner Tran's remarks concerning the patentability of claims 1, 3-5, 18 and 20 over *Lim*. The Applicant has also thoroughly read *Lim*. To warrant this 35 U.S.C. §102(b) rejection of claims 1, 3-5, 18 and 20, *Lim* must show each and every limitation of independent claims 1 and 18 in as complete detail as is contained in independent claims 1 and 18. See, MPEP §2131. The Applicant respectfully traverses this anticipation rejection of independent claims 1 and 18, because *Lim*, among other things, fails to disclose and teach away from a comparator device including "a first current input (11) coupled for receiving the first reference current (I_{ref1}) in response to the controllable switch (7) being non-conductive, and for receiving both the first reference current (I_{ref1}) and second reference current (I_{ref2}) in response to the controllable switch (7) being conductive" as recited in independent claim 1, and a comparator device "wherein the first current input (11) is coupled for receiving the second reference current (I_{ref2}) through a controllable switch (7) controlled by a control signal (S_c) generated by the comparator device (10)" as recited in independent claim 18.

As to the traversal, Examiner Tran asserts that *Lim* discloses a comparator U1 as illustrated in FIG. 2 having a non-inverting input (+) for receiving a first reference current I_{REF} (FIG. 3) and a second reference current I_B in response to a switch SW1 being conductive. A careful reading of *Lim* however reveals that the first reference current I_{REF} flows into the non-inverting input (+) of comparator U1 in response to switch SW1 being conductive, but the second reference current I_B does not flow into the non-inverting input (+) of comparator U1 in response to switch SW1 being conductive. Moreover, as illustrated in FIG. 3, *Lim* teaches a basis of its voltage hysteresis V_{HYS} of comparator U1 being exclusively on the first reference current I_{REF} flowing into the non-inverting input

August 28, 2003
Case No.: PHCH 00002 (7790/132)
Serial No.: 09/761,253
Filed: January 16, 2001
Page 11 of 13

(+) of comparator U1, and therefore teaches away from the second reference current IB flowing into the non-inverting input (+) of comparator U1 in response to switch SW1 being conductive. Thus, *Lim* cannot be interpreted as teaching the non-inverting input (+) of comparator U1 for receiving a first reference current I_{REF} and a second reference current IB in response to switch SW1 being conductive.

Withdrawal of the rejection of independent claims 1 and 18 under 35 U.S.C. §102(e) as being anticipated by *Lim* is respectfully requested.

Claims 3-5 depend from independent claim 1. Therefore, dependent claims 3-5 include all of the elements and limitations of independent claim 1. It is therefore respectfully submitted by the Applicant that dependent claims 3-5 are allowable over *Lim* for at least the same reason as set forth with respect to independent claim 1 being allowable over *Lim*. Withdrawal of the rejection of dependent claims 3-5 under 35 U.S.C. §102(b) as being anticipated by *Lim* is therefore respectfully requested.

Claims 21 depends from independent claim 18. Therefore, dependent claim 21 includes all of the elements and limitations of independent claim 18. It is therefore respectfully submitted by the Applicant that dependent claim 21 is allowable over *Lim* for at least the same reason as set forth with respect to independent claim 18 being allowable over *Lim*. Withdrawal of the rejection of dependent claim 21 under 35 U.S.C. §102(b) as being anticipated by *Lim* is therefore respectfully requested.

New claim 23 depends from independent claim 1. Therefore, dependent claim 23 includes all of the elements and limitations of independent claim 1. It is therefore respectfully submitted by the Applicant that dependent claim 23 is allowable over *Lim* for at least the same reason as set forth with respect to independent claim 1 being allowable over *Lim*. Allowance of claim 23 over *Lim* and the other art of record is therefore respectfully requested.

New claim 24 depends from independent claim 18. Therefore, dependent claim 24 includes all of the elements and limitations of independent claim 18. It is therefore respectfully submitted by the Applicant that dependent claim 24 is allowable over *Lim* for at least the same reason as set forth with respect to independent claim 18 being allowable

August 28, 2003

Case No.: PHCH 00002 (7790/132)

Serial No.: 09/761,253

Filed: January 16, 2001

Page 12 of 13

over *Lim*. Allowance of claim 24 over *Lim* and the other art of record is therefore respectfully requested.

New claim 25 depends from allowed independent claim 19. Therefore, dependent claim 25 includes all of the elements and limitations of allowed independent claim 19. It is therefore respectfully submitted by the Applicant that dependent claim 25 is allowable over *Lim*. Allowance of claim 25 over *Lim* and the other art of record is therefore respectfully requested.

FAX RECEIVED**AUG 29 2003****GROUP 2800**

FAX RECEIVED**AUG 29 2003****GROUP 2800**

August 28, 2003

Case No.: PHCH 00002 (7790/132)

Serial No.: 09/761,253

Filed: January 16, 2001

Page 13 of 13

OFFICIAL**SUMMARY**

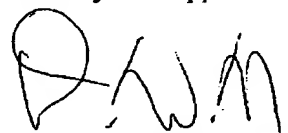
Examiner Tran's anticipation rejection of claims 1, 3-5 and 18 and 21 have been obviated by the remarks herein supporting an allowance of claims 1, 3-5, 18 and 21 over *Lim*. The Applicant has supported an allowance of new claims 23-25 over *Lim*. The Applicant respectfully submits that claims 1-19, and 21-25 fully satisfy the requirements of 35 U.S.C. §§ 102, 103 and 112. In view of the foregoing, favorable consideration and early passage to issue of the present application is respectfully requested. If any points remain in issue that may best be resolved through a personal or telephonic interview, Examiner Tran is respectfully requested to contact the undersigned at the telephone number listed below.

Dated: **August 28, 2003**Respectfully submitted,
FRANZ AMTMANN

U.S. PHILIPS
580 White Plains Road
Tarrytown, New York 10591
Phone: (914) 333-9606
Fax: (914) 332-0615

CARDINAL LAW GROUP
Suite 2000
1603 Orrington Avenue
Evanston, Illinois 60201
Phone: (847) 905-7111
Fax: (847) 905-7113

Jack D. Slobod
Registration No. 26,236
Attorney For Applicant



Darrin Wesley Harris
Registration No. 40,636
Attorney for Applicant